IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.
WRIT PETITION NO. 4179 OF 2006
(Smt. Shantabai wd/o Dr. Pundlik Raut .v. Smt. Meena Ramesh Potbhare and others)

Office Notes, Office Memoranda of Coram appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

CORAM : R.V. MORE, J.
29TH NOVEMBER, 2007

Heard Shri N.K. Deshpande, the learned Counsel for the petitioner.

The petitioner wants to intervene in Regular Civil Suit No. 36/1999 filed by the respondent No.1 against respondent Nos.2 and 3 for specific performance of an agreement. The suit is at the stage of evidence. It is well settled that in a suit for specific performance, a stranger to the agreement cannot be joined as a party defendant.

In this view of the matter, I do not find any reason to interfere in the impugned order in my jurisdiction under Article 227 of the Constitution of India. The petition is dismissed.

Needless to mention that the petitioner is at liberty raise an appropriate objection at the stage of execution in accordance with law.

JUDGE